

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PLYMOUTH COUNTY RETIREMENT
ASSOCIATION and CARPENTERS PENSION
TRUST FUND FOR NORTHERN CALIFORNIA,
Individually and on Behalf of All Others Similarly
Situated,

Plaintiffs,

v.

ARRAY TECHNOLOGIES, INC., ATI
INTERMEDIATE HOLDINGS, LLC, JIM
FUSARO, NIPUL PATEL, TROY ALSTEAD,
ORLANDO D. ASHFORD, FRANK CANNONA,
RON P. CORIO, BRAD FORTH, PETER
JONNA, JASON LEE, ATI INVESTMENT
PARENT, LLC, OAKTREE ATI INVESTORS,
L.P., OAKTREE POWER OPPORTUNITIES
FUND IV, L.P., OAKTREE POWER
OPPORTUNITIES FUND IV (PARALLEL), L.P.,
GOLDMAN SACHS & CO. LLC, J.P. MORGAN
SECURITIES LLC, GUGGENHEIM
SECURITIES, LLC, CREDIT SUISSE
SECURITIES (USA) LLC, BARCLAYS
CAPITAL INC., UBS SECURITIES LLC,
COWEN AND COMPANY, LLC
OPPENHEIMER & CO. INC., JOHNSON RICE
& COMPANY L.L.C., ROTH CAPITAL
PARTNERS, LLC, PIPER SANDLER & CO.,
MUFG SECURITIES AMERICAS INC.,
NOMURA SECURITIES INTERNATIONAL,
INC., MORGAN STANLEY & CO. LLC,

Defendants.

Civil Action No. 1:21-cv-4390-VM

DEMAND FOR JURY TRIAL

CLASS ACTION

LEAD PLAINTIFFS' NOTICE OF APPEAL

Notice is hereby given that Lead Plaintiffs Plymouth County Retirement Association and the Carpenters Pension Trust Fund for Northern California ("Lead Plaintiffs"), individually and

on behalf of all others similarly situated, appeal to the United States Court of Appeals for the Second Circuit from the Order denying Lead Plaintiffs' request for leave to amend the Corrected Consolidated Amended Complaint and dismissing the action with prejudice, issued on July 5, 2023, ECF No. 188, the Decision and Order granting Defendants' motion to dismiss the Corrected Consolidated Amended Complaint, issued on May 19, 2023, ECF No. 185, and all prior rulings related to or merged therein. Lead Plaintiffs file this appeal of the dismissal of claims and denial of leave to amend against Defendants Array Technologies, Inc., ATI Intermediate Holdings, LLC, Jim Fusaro, Nipul Patel, Troy Alstead, Orlando D. Ashford, Frank Cannova, Ron P. Corio, Brad Forth, Peter Jonna, Jason Lee, ATI Investment Parent, LLC, Oaktree ATI Investors, L.P., Oaktree Power Opportunities Fund IV, L.P., Oaktree Power Opportunities Fund IV (Parallel), L.P., Goldman Sachs & Co. LLC, J.P. Morgan Securities LLC, Guggenheim Securities, LLC, Credit Suisse Securities (USA) LLC, Barclays Capital Inc., UBS Securities LLC, Cowen and Company, LLC, Oppenheimer & Co. Inc., Johnson Rice & Company L.L.C., Roth Capital Partners, LLC, Piper Sandler & Co., MUFG Securities Americas Inc., Nomura Securities International, Inc., and Morgan Stanley & Co. LLC.

Dated: August 4, 2023

Respectfully submitted,

LABATON SUCHAROW LLP

/s/ Michael P. Cantly
MICHAEL P. CANTY
THOMAS G. HOFFMAN, JR.
JAMES T. CHRISTIE
GUILLAUME BUELL
140 Broadway
New York, NY 10005
Telephone: 212/907-0700
212/818-0477 (fax)
mcanty@labaton.com
thoffman@labaton.com
jchristie@labaton.com

gbuell@labaton.com

*Lead Counsel for Lead Plaintiffs and the
Proposed Class*

**ROBBINS GELLER RUDMAN
& DOWD LLP**
ROBERT M. ROTHMAN
MARK T. MILLKEY
NATALIE C. BONO
58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)
rrothman@rgrdlaw.com
mmillkey@rgrdlaw.com
nbono@rgrdlaw.com

*Additional Counsel for Carpenters Pension
Trust Fund for Northern California and the
Proposed Class*